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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,440	08/24/2001	Brett Green	10013477-1	2757

7590

02/24/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/939,440	GREEN, BRETT	
	Examiner	Art Unit	
	Houshang Safaipoor	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 3, 5-8, 10-16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Lagarde et al. (U.S. Patent No. 5,761,663).

Regarding claim 1, Lagarde et al. discloses a method for faxing a document, comprising the steps of: receiving a fax request from a user browser; uploading content to the user browser; receiving a fax job from the user browser; and transmitting a facsimile to a recipient device (Abstract and col. 13, line 66 through col. 14 line 32).

Regarding claim 2, Lagarde et al. discloses the method of claim 1, wherein the step of uploading content to the user browser comprises uploading logic configured to generate at least one control screen for display within the browser (col. 14, lines 53-59).

Regarding claim 3, Lagarde et al. discloses the method of claim 1, wherein the step of uploading content to the user browser comprises uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (col. 13, lines 44-54).

Regarding claim 5, Lagarde et al. discloses the method of claim 3, wherein the at least one application is configured to retrieve a selected file, translate it, and transmit the translated file back a faxing device (col. 11, lines 1-19).

Regarding claim 6, Lagarde et al. discloses the method of claim 1, further comprising the step of receiving information transmitted from the user browser (col. 11, lines 1-19).

Regarding claim 7, Lagarde et al. discloses the method of claim 1, wherein the step of receiving information comprises receiving a file name and location (col. 11, lines 1-19).

Regarding claim 8, Lagarde et al. discloses the method of claim 7, wherein the step of receiving information further comprises receiving a document type.

Regarding claims 10-12, the arguments analogous to those presented for claims 1-3 are applicable to claims 10-12 respectively.

Regarding claims 13-15, the arguments analogous to those presented for claims 1-3 are applicable to claims 13-15.

Regarding claim 16, the arguments analogous to those presented for claims 1-3 are applicable to claim 16.

Regarding claim 18, the arguments analogous to those presented for claim 5 are applicable to claim 18.

Independent claims 1, 10 and 13 are also rejected under 35 U.S.C. 102(b) as being anticipated by Kuniko Yokosuga (Jp 02-282839).

Regarding claims 1, 10 and 13 Kuniko discloses a method for faxing a document, comprising the steps of: receiving a fax request from a user browser; uploading content to the user browser; receiving a fax job from the user browser; and transmitting a facsimile to a recipient device (page 6, line 3 through page 7, line 3). Examiner considers “application program” as a browser claimed by the applicant.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 9, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lagarde et al. (U.S. Patent No. 5,761,663).

Regarding claims 4, 9, 17 and 19, the tasks of determining the contents of a hard disk, uploading a confirmation notice to the user browser and having one application comprising of a java applet are well known and routinely implemented in the art. Therefore it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to include these feature applications in Lagarde's invention.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipour
Patent Examiner
Art Unit 2622
February 15, 2005


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SUPERVISORY PATENT EXAMINER
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